

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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ANTHONY CAMPBELL,  
Plaintiff,

vs.

ISOLATIONS TECHNOLOGIES, INC. and  
LARRY D'AMATO,  
Defendants,

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) **CIVIL ACTION**  
) **NO. 04-40236-FDS**  
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ORDER  
August 3, 2005

SWARTWOOD, C.M.J.

Nature of the Proceeding

On July 7, 2005, Motion Of Defendant, Isolations Technologies, Inc., To Compel Rule 26(a) Disclosure And For Sanctions (Fed.R.Civ.P. 37(a)(2)(A)) (Docket No. 12) was referred to me for disposition.

Discussion

The Scheduling Order in this case provided that initial disclosures required by Fed.R.Civ.P. 26(a)(1) must be served by April 15, 2005. Plaintiff has failed to serve his initial disclosures as required, has failed to respond to Isolations Technologies, Inc.'s ("ITI") telephone and written requests for his disclosure and has failed to file an opposition to this motion. ITI seeks sanctions, including dismissal, for Plaintiff's failure

to comply with the Scheduling Order with respect to serving initial disclosures as required by Fed.R.Civ.P. 26(a)(1).

Although Mr. Campbell represents himself in this case, he is nevertheless required to follow the rules of this Court and to obey Court orders. I am informing Mr. Campbell that failure to obey a Court order could result in the imposition of sanctions, including dismissal of an action for failure to comply with discovery. Fed.R.Civ.P 37. In fact, where Plaintiff's failure to provide discovery materials violates a Court order, dismissal may be an appropriate sanction. CRW International Corp. v Welch Food, Inc., 937 F.2d 11 (1<sup>st</sup> Cir. 1991). Therefore, with this admonition in mind, I am ordering Mr. Campbell to complete his obligation for automatic disclosure by August 23, 2005.

In the meantime, I am staying all discovery in this case until Mr. Campbell has completed his obligation for automatic disclosure on August 23, 2005. Further, I am denying ITI's request for costs.

Conclusion

Motion Of Defendant, Isolations Technologies, Inc., To Compel Rule 26(a) Disclosure And For Sanctions (Fed.R.Civ.P. 37(a)(2)(A)) (Docket No. 12) is allowed as provided in this Order.

/s/Charles B. Swartwood, III  
CHARLES B. SWARTWOOD, III  
CHIEF MAGISTRATE JUDGE